G. R. S. 58]

Previous references.

1914-15

(SOA)

Preserve

File No. 31-14

Serial Nos. 1, 2, 12

Later references.

SOA 53-158 & 78. 115. Rly W.

(1)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1, 2, 12 & 26

Part B for August 1915

SUBJECT.

Amendments to the Mysore Service Regulations —

1. From
The Comptroller, P. W. D. Rly Branch —
No. 261 / R.C.13 dt 9-7-14.

Proposes for the consideration and order of Govt the extension of the existing collateral rules in the M. S. R to temporary appointments in the Rly Construction and the P.W.D. Departments —

W D 1351—GPB—20,000—13-12-15

Sl. 26. The A & C draft has been issued; vide List No. 25 of 19-8-15. Wire 4 to Govt.

G.R.S. 11] 1914.-15

GENERAL AND REVENUE SECRETARIAT.

(Sta)

NOTES.

File No. 31.

FILE HEADING.

Amendments to the M. S. Regulations.

From

The Comptroller. P. W. Railway. Branch.

No. 241 / R.C. 13 Dated 9 — 7 — 14. Received 10 — 7 — 14.

Diary No. 160	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Proposes for the consideration and orders of Govt the extension of the acting allce rules in the M.S.R. to temporary appointments in the Railway Construction and the P.W. Departments.

NOTES AND ORDERS.

2. From the Comptroller P. W. Railway Branch. No. 246 / E.31 d: 9-7-14. points out the rigorous operation of the existing rules regarding the grant of leave to temporary employees in the P.W.D. in the case of a Sub Divis

NOTES—First Sheet.

GPB—35,000—15 6-12

G. R. S. 12]

General and Revenue Secretariat. | S to a File No. 31 – of 1914-15

Serial No.

Division clerk who has put in 20 years' service in the deptt and proposes certain amendments to the rules in the M. S. R.

The Comptroller has in his two letters under disposal discussed in detail the unsuitability of the provisions contained in art: 154 and 201.(1) M.S.R to the conditions of service in the Railway construction, the temporary divisions of the P.W.D. etc. The provisions contained in the said articles do not seem to apply to temporary appointments of such long duration refd to by the Comptr. The Comptroller may perhaps be asked to ascertain and report what the practice is in British India.

Subd.
PWR.38
30.7.14.

2. The Compts two letters explain themselves.

3. The Compts suggestions seem to be suitable and may be adopted.

4. In this connection it is suggested that the word 'substantive' appearing in line 3 of article 1(a) of the M.S.R may be omitted, as the M.S.R deals with pay

Received on 13/8/14

I would like to know what this letter file were delayed so long before

Copied

NOTE—Contn. sheet

GPB—10,000—13-6-14

Serial No.

and allowances of temporary Employees Also, the necessity for the connection is apparent. It may be noticed that in the corresponding article of the British Service Regulations this

493 term is absent

Henry 13/III/14

5. Some difficulties suggest themselves on going through the papers afresh carefully from the financial standpoint. May be discussed on the 19th with Dy Comptr & other officers mentioned in the P.W. Accts offices charge adjustment file. M

17/3/14

575 6. I agree to the rules proposed being adopted with some modifications as indicated in pencil but they should apply only to P.W., Ry & Electric Depts & other temporary appts sanctioned for or lasting over 5 years.

7. Please put up the substance of the Rules in question in the form of a separate Appendix to M.S.R. This will be convenient because we can conveniently say that such & such appts get the benefit of the Appendix.

M

26/3/14

H.P.B. 7/III

NOTE—Contn. sheet.

GPB—10,000—13-6-14

Serial No.

8 A draft A + c is put up. [Indexes to Appx which were not inserted before are included in this draft.]

19/1/15

9. Revised draft as revised by the Asst Secy is put up. A separate A + c slip will be put up afterwards in respect of a verbal correction in Art 1524 (a) + Indexes to Appx.

890 22/1/15

Asst Secy

Ag 23-1-15

mule 25/1/15

~~The Comptroller points out that the Rates of allowances under the M.S.R. do not state~~ -

Letters under disposal

10 The Comptr points out that the 'Ag allowance' rules in the M.S.R do not apply to 'temporary' appointments and that rules analogous to them are necessary in the case of P.W.; Rly & Electrical Departments where there are numerous appointments of a temporary character but extending over fairly long periods - Draft A

NOTE—Contn. sheet.

GPB—25,000—2-11-14

[G.R. S. 12]

General and Revenue Secretariat. | File No. 31 of 1914.

Serial No.

White Mss
1 C Ships making the M S L rules Applicable to such appointments are put up.

Dewan)

26/1

40888
27-1-15

4 Please circulate & send up with a Submission note. The final draft may be shown to the Chairman also

C Srinivasa 6/5
for

4.5.15. RB

12 Approved
Secl
14/5 I concur
24/5/15

Approved.
28.5.15
D SW 28/5

RBR

Draft submission note is put up. Reference is also invited to the last sentence in the Dewan's note above

Dy. Secy 4/6/15

1933

1951.

Seen. 5/6

7785
10.6.15

Dewan)

NOTE—Contn. sheet.

GPB—25,000—2-11-14

For disposal by Circulation.

No. C. 583

6 5 1915.

GENERAL AND REVENUE SECRETARIA

Council Matter. 3114

SUBJECT.

Insertion of a new Article as Appendix A.A. to Mysore Service Regulations, in regard to the acting and leave allowances of officers holding temporary appointments in the P. W., Railway & Electrical Departments.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

D. M. Narasinga Rao

8th May 1915. Offg. *Secretary to Government.*

Extraordinary Member of Council. opinion recorded by the Extraordinary Member. 9/11/15

First Member of Council. opinion recorded by First Member.

Second Member of Council. opinion records. 9/11/15

GPB—1,000—28-8-14

Submitted to His Highness.

* Paper under Disposal - No 1.

20 The Comptroller points* out that the acting allowance rules in the Mysore Service Regulations do not apply to temporary appointments and that rules analogous to them are necessary in the case of the Public Works, Railway and Electrical Departments where there are numerous appointments of a temporary character but extending over fairly long periods. He suggests certain amendments to the Mysore Service Regulations accordingly. The Financial Secretary agrees* to the Comptroller's suggestion and states that the proposed rules should apply only to appointments in the Public Works, Railway and Electric Departments sanctioned for or lasting over five years and to other temporary appointments of a similar character to which Government may specially declare them applicable and that they should be embodied in the Mysore Service Regulations in the form of a separate Appendix.

* Page 3 of the office note

The Members of Council approve* of the Comptroller's suggestion as modified by the Financial Secretary. I beg that the proposed addition* to the Mysore Service Regulations may be graciously sanctioned.

* Page 5 of the office note

Flag G

MM

H. Maciwadiyar

13/7/15

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Proposed additions to the Mysore Service Regulations providing for acting and leave allowances of officers holding temporary appointments in the Public Works, Railway and Electric Departments.

53

Order.

~~KRW~~

16/7/15

17/7/15

R. S. 12]

General and Revenue Secretariat. | File No. of 1914.

Serial No.	
	May the draft issue? 20/7/15
	7/5 yes. 20.7.15
26	The draft has been issued; vide list no. 25 of 15-8-15.

B

NOTE—Contn. sheet.

GPB—25,000—2-11-14

P. W. Serial No. 114]

No. 241
R.C.13.

MYSORE PUBLIC WORKS DEPARTMENT,
CENTRAL OFFICE OF ACCOUNTS,

Dated Bangalore, the 7th July 1914.

It is requested that in future communications on the subject, the No. and date of this letter, and the distinguishing letters below the number as given opposite, may be quoted. All communications should be addressed as follows:—Comptroller, Mysore Public Works and Railway Branch, Bangalore.

FROM

DEWAN BAHADUR
J. S. CHAKRAVARTI, ESQ., M.A., F.R.A.S., etc.,
Comptroller to the Government
of His Highness the Maharaja of Mysore,
Public Works and Railway Branch.

DIARY No. 1660

10/4/15
SECTION
No. 37 — 14.
File No. 1

To

The Financial Secretary to
the Government of Mysore,
BANGALORE.

Sir,

I have the honour to state that, in the Railway Construction Department and in the temporary Divisions of the Public Works Department, there is need for making acting and temporary arrangements for the conduct of work during the absence of officers proceeding on leave. As the appointments are all on the temporary establishments, there are no rules in the Mysore Service Regulations to regulate acting arrangements in regard to such appointments. As it often happens that officers holding substantive appointments on ~~the~~ permanent Establishments are posted to the Railway Construction and other temporary Divisions in Public Works Department, it becomes a matter of difficulty to apply the rules in the Mysore Service Regulations as they stand and to determine the salary to be drawn in such cases. I would, therefore, propose for the consideration and orders of Government the extension of the acting allowance rules to temporary appointments.

MYSORE PUBLIC WORKS DEPARTMENT

191

FROM

DEWAN BAHADUR
J. S. CHAKRAVARTI, ESQ.,
M.A., F.R.A.S., etc.,
Comptroller to the Govt. of
H. H. the Maharaja of Mysore,
P. W. & Ry. Branch.

To

Dated

Despatched

Received

No.

SUBJECT.

GPB—2,000—5-2-14

2. The cases of acting arrangements that generally occur are of the following kinds:-

(1) The appointment to the temporary post of a person who enters the service for the first time

(2) The appointment to the temporary post of a person who holds already another temporary post.

(3) The appointment of a person who holds a substantive place, and is appointed from such place to act in ~~the~~ a temporary post.

(4) The appointment of a person who holds a substantive place, but who, before being appointed to act in the temporary post already holds a temporary post on pay higher than that of his substantive post.

Case No.1

3. The appointment of a substitute in place of an officer granted leave under Articles 154 ~~and~~ and Note 1 - under Article 201 and the recognition of the latter's lien on the temporary appointment are contemplated in the said articles but there is no definite rule for regulating the acting allowance payable to the substitute ~~In~~ The case of a person without a substantive appointment but acting in a substantive post is provided for in Articles 73 and 74. In the case of a person appointed for the first time to act in a temporary post the holder of which is permitted a lien on it at the same time, it may be laid down that his acting allowance be calculated ~~by~~ under Articles 73 and 74. The following note may be added under Article 74:-

(4) "The rules contained in this and the preceding articles will be applied in calculating the acting allowance of a person without a substantive post appointed to act in a temporary ~~post~~ appointment".

Case No.2

4. This is of the same nature as case ~~as~~ No.1 and the same rule as proposed above can be applied. There is however one difference. As the officer will already

be holding a temporary place, it is not fair to give him less than the pay of such place while he is appointed to act in a higher temporary place. To provide for cases of this nature, the following addition may be made to the note proposed above:-

"When a person already holding one temporary post is appointed to act in another temporary post the holder of which is permitted to have a lien on it, the ~~acting allowance given~~ in respect of the higher temporary post shall not be less than the pay of the temporary post previously held by him." on which he may be permitted to retain lien.

emoluments (5)

Case No.3.

5. The difficulty about this case is that there is n rule in the Mysore Service Regulations to give the acting officer ~~at~~ 1/5th of the pay of the temporary appointment plus the pay of his substantive place. The existing rules contemplate calculation of 1/5th of the pay of only substantive appointments. The solution of the -- difficulty lies in recognising the need for extending th rule applicable to substantive appointments to temporary appointments also. ~~Sanction of Government may be obtained for~~ A rule to this effect, as noted below is accordingly proposed.

Note 2 under Article 70.

"The general rule contained in this article will be applied in regulating the acting allowance of an officer with a substantive appointment on a permanent Establishment officiating in a temporary appointment within the meaning of Article 53".

Case No.4

6. This is the same as case No.3 excepting for the additional feature of another temporary appointment held by the officer previous to his appointment to act in the higher temporary place. Here also, he may be given his substantive pay plus one-fifth of the pay of the tempora~~ry~~ appointment but subject to the condition that such salary shall be not less than the pay of the temporary

appointment

here is the corresponding correction & case.

appointment from which he is appointed to act in the higher temporary appointment. This concession is on the analogy of the rule contained in the Note under Article 61, Mysore Service Regulations.

7. One more class of cases of frequent occurrence in the Public Works Department relates to officers who, while having a lien on permanent appointments, hold temporary appointments and from such temporary places are appointed to act in permanent posts. Even in such cases, it is only fair to allow them, while acting in permanent posts, a salary not less than the pay of the temporary posts previously held by them. To provide for this, as well as the case mentioned in para 6 above, I would propose ~~for the sanction of Government~~, the following addition to the Note to Article 70 referred to in para 5 above:-

(7) "If such an officer is appointed to act in a temporary or permanent appointment not directly from his substantive appointment but from another temporary appointment ~~he holds at the time~~ (on which he is allowed to retain a lien), his salary will be the pay of his substantive appointment plus the acting allowance admissible in respect of the temporary or permanent appointment in which he acts, subject, however, to the condition that such salary shall not be less than the pay of the temporary appointment - ~~previously held~~" on which he has a lien.

8. I request that you will kindly obtain the orders of Government on the above proposals.

I have the honour to be,

Sir,

Your most obedient servant,

For Comptroller,

P. W. and Railway Branch.

C.V.

7.7.44

P. W. Serial No. 114] No. 246 E.31.

MYSORE PUBLIC WORKS DEPARTMENT,
CENTRAL OFFICE OF ACCOUNTS,

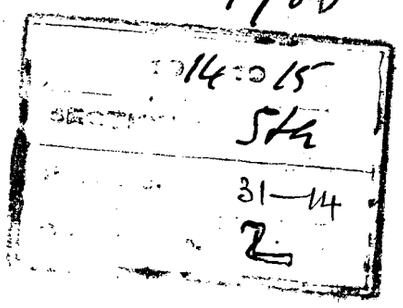
Dated Bangalore, the 8th July 1914.

It is requested that in future communications on the subject. the No. and date of this letter, and the distinguishing letters below the number as given opposite, may be quoted. All communications should be addressed as follows:—Comptroller, Mysore Public Works and Railway Branch, Bangalore.

FROM

DEWAN BAHADUR
J. S. CHAKRAVARTI, ESQ., M.A., F.R.A.S., etc.,
Comptroller to the Government
of His Highness the Maharaja of Mysore,
Public Works and Railway Branch.

DIARY No. 1781



To

The Financial Secretary t
the Government of Mysore,
BANGALORE.

Sir,

I have the honour to state that the existing rules in the case of grant of privilege leave and leave on -- medical certificate to temporary employees in the Public Works Department work very hard and the case of a Sub Divisional Clerk who has put in 20 years service in the Department, but is holding a permanent appointment on a temporary tenure, has been specially brought to notice by the Chief Engineer. The general rule is that the - grant of leave (Privilege and Leave on Medical Certificate) to temporary employees should involve no extra - cost to Government. When the appointment of a substitute in the place of an absentee is necessary and the acting allowance paid to him is equal to the pay of the absentee, there is nothing left for ~~the~~ payment to the latter, whether he is given privilege leave or leave on medical certificate and however long his temporary service may be. In the Public Works Department, Cauvery Power Scheme and Railway Departments, temporary appointments

MYSORE PUBLIC WORKS DEPARTMENT

191

FROM

DEWAN BAHADUR
J. S. CHAKRAVARTI, ESQ.,
M.A., F.R.A.S., etc.,
Comptroller to the Govt. of
H. H. the Maharaja of Mysore,
P., W. & Ry. Branch.

To

Dated

Despatched

Received

No.

SUBJECT.

GPR—2,000—5-2-14

appointments are many and their duration is generally very long. Under the conditions of these Departments, there are also many instances of officers holding permanent places on temporary tenure and the same disability attaches to them also. There are thus a large number of officers who have rendered many years of service but who cannot get full leave allowances as the appointment of substitutes in their places is often found necessary In the case brought to notice by the Chief Engineer, and in the circumstances of arrangements made during the absence of the Sub Divisional clerk in question, he canno under the existing rules, be granted any leave allowanc though he has put in 20 years service in the Department

2. The present rules require that the whole amount paid to the substitute should be treated as acting allowance paid in respect of the place the holder of whi is absent. The substitute may be either (1) a person newly entertained or (2) a person holding a substantive place and appointed to perform the duties of the absentee or (3) a person already holding a temporary post and appointed to perform the duties of the absentee. In the case of (1), the whole amount paid to him is to be trea ed as acting allowance and if such allowance is equal t the pay of the absentee, the latter cannot get any leav allowance. In the case of (2), there is no rule under which the permanent holder can be given the pay of his substantive place plus one-fifth of the pay of the temporary post. Even if such calculation is authorised, the next question is whether the whole salary or only the acting allowance should be taken as the extra cost consequent on the grant of leave to the absentee. Case (3) is the same as case (1). Keeping the general -- principle of not incurring extra cost, it is, however, possible to make the operation of the existing rules less rigorous by calculating the extra cost not with

Grant of acting allowance in the charge.

reference to the entire salary drawn by the officer who performs the duties of ~~the~~ the absentee but with reference to additional allowances involved in the whole chain of acting arrangements. If a new man is appointed in place of a temporary officer on leave and if the full play of the latter is given to the former, the absentee cannot, of course, get anything. If a chain of arrangements is made and ~~end~~ the extra cost thereof is equal to his pay, even then the absentee cannot get anything. But if the arrangements made do not entail extra cost on the whole, it is -- reasonable and fair that the absentee should get - some allowance during his leave. Accordingly, the following additions to the Mysore Service Regulation are suggested for the consideration of Government:-

Add as Note 1 under Article 173.

(a) "The allowance payable to an officer granted privilege leave under Article 154(a) and in whose place a substitute is appointed must be limited, within the amount admissible under this Article, to the difference between his pay and the sum of the acting allowances paid in consequence of his absence. For the purpose of this rule the acting allowance shall be taken in the case of an officer already in service - whether permanent or temporary - as the additions allowed over his pay and in the case of an officer newly employed the whole amount paid to him shall be treated as acting allowance"

(1)

Add as Note 1 under Article 205.

(2) A note as under Article 173 (above) Mutatis Mutandis.

(3) The word "and" in line 4 of Article 154(a) is not appropriate. The intention of the rule is to mention alternative circumstances in which the absentee can get leave allowance. It may be replaced by "or This alteration is in accordance with the correspond

ing

corresponding rule in the Civil Service Regulations.

I have the honour to be,

Sir,

Your most obedient servant,

For Comptroller,

P. W. and Railway Branch.

C.V.

8.7.14

Tidy Draft

SJA 31-14
sl.no.26.

Addenda and Corrigenda to the Mysore Service Regns.,
4th Edition

Page 232 App A A

Insert the following as a new appendix.

App. A A — Rules regulating the acting and leave allowances of Officers holding temporary appointments in the Public Works, Railway, Electrical and other Departments.

— . —

I. The following rules apply only to temporary Officers in the P.W., Railway, & Electrical Departments

which are sanctioned or continue for over 5 years and to other offices of a similar temporary character to which Govt specially declare them applicable.

Acting allowances.

II (1) The acting allowances of an officer who holds no appointment under Govt and who is appointed to act in an appointment to which these rules apply will be regulated by Articles 73 & 74, M&R.

(2) An officer holding a temporary appointment to which these rules apply, appointed to act in another office of the same character but carrying higher pay, the absentee holder of

which

which is allowed to have a lien on it will also be entitled to acting allowances calculated as under Articles 73 and 74 subject, however, to the condition that the emoluments should not be less than what he was getting in the temporary post previously held by him and on which he is permitted to have a lien.

70 & 75

(3) The acting allowance of an officer holding a substantive appointment in a permanent establishment appointed to

to act in a temporary appoint-

-ment to which these rules apply

will be regulated by Article 70, M.S.R.

(4) An officer holding a substantive

appointment in a permanent

establishment but appointed to

a temporary appointment to

which these rules apply, will

when appointed to act in a

higher temporary appointment of the same character

or an appointment on a perma-

-nent establishment (retaining

his lien on the temporary appoint-

-ment previously held by him)

will draw the pay of the sub-

-stantive appointment

permanently

permanently held by him pla

acting allowance according

to Article 70, MCR, subject to

the condition that his sala

shall not be less than the pa

of the temporary appointme

on which he has a lien.

Leave Allowances

III An Officer holding an

appointment to which these

rules apply, granted privilege

leave or leave on Medical

certificate under Articles

154(a) & 201(1) respectively wit

permission to retain a lien

on his temporary appoint

and

and in whose place a substi-
tute is appointed may draw
leave allowances to the extent
provided by articles 173 and
205(a), respectively, subject to
the condition that the amount
of leave allowance drawn
is not more than the difference
between his pay and the
sum of the acting allow-
ances paid in consequence
of his absence.

For the purpose of this
rule the acting allowance
shall be taken in the case of
an

an officer already in service

whether permanent or

temporary - as the additio

allowed over his pay and

in the case of an officer new

-ly employed, as the

whole amount paid to

him.

(4th Ed^n. no. 25 of 19.8.15)

Page 229 Part XIII

Insert the following

between A & B in the

List of Appendices:---

A.A.- Rules regulating the Acting and

the leave allowances of certain

temporary employes of

the

the Public Works, Railway, Electri-

cal & Other Departments.

(G.G.O. No. [illegible] of 1918)

Page 287 Index — (Acting allowances)

Insert the following bet-

-ween the 5th & 6th lines on

this page.—

" of Temporary Employees

of the Public works, Railways

Electrical or Other Deptt. . .

App A.A "

(G.G.O. no. 15 of 1918)

Page 329 Index (Leave allowances)

Insert the following between

the 37th & 38th lines on this page:—

" of temporary Employees of the Public works,

Railway, Electrical or Other

Deptt. . . . . App A.A."

(G.G.O. no 15 of 1918)

Page 361 Index (Temporary Employés)

Insert the following

between

between the 5th & 6th lines

" Acting allowances &c. of
— of the Public Works
Railway, Electrical or
other Deptt. . . . App. A.A

(Letter no. 25 Dt 19.8.15.)

Mule
Dft 25/1/15

Financial Secy

22/1/15

23.1.15